IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.09.2006

CORAM

THE HON'BLE MR. JUSTICE P. JYOTHIMANI

W.P.No.36584/2006 & M.P.Nos.1&2/2006

M. Rajendran ... Petitioner

-vs-

1.The Special Commissioner &
Commissioner of Land Administration,
Chepauk, Chennai-5.

2.The District Revenue Officer cum Additional
District Magistrate,
Collectorate Buildings, Ramanathapuram District,
Ramanathapuram.

3.The Sub-Collector/Revenue Divisional Officer,
Sub-Collector Office,
Paramakudi, Ramanathapuram District.

4.The Tahsildar,
Kadaladi Taluk, Kadaladi,
Ramanathapuram District.

5.The Zonal Deputy Tahsildar.
Kadaladi Taluk, Kadaladi,
Ramanathapuram District.

6.Akilan
7.Arunan ... Respondents

Writ Petitions filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus, calling for the entire records with regard to the impugned order vide K4/20409/2006 dated 21.07.2006 passed by the 1st respondent herein and quash the same and for a direction directing the 1st respondent to dispose the revision petition filed by the petitioner herein within the time frame.

For Petitioner : Mr.K.Mohanamurali

For Respondents: Mr.A.Edwin Prabakar, GA

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O R D E R

This writ petition is filed challenging the order of the 1st respondent dated 21.7.06 under which the 1st respondent while entertaining the revision petition dated 30.06.2006, filed against the order of the District Revenue Officer, Ramanathapuram, dated 01.06.2006, has rejected the claim of the stay petition and it is as against the said rejection of stay, the present writ petition is filed.

2. Admittedly, as against the order of the District Revenue Office, Ramanathapuram, the revision petition has been entertained by the 1st respondent. Simply because while pending the revision petition, the 1st respondent has refused to grant stay, that cannot be a ground for filing a writ petition under Article 226 of the Constitution of India, for granting interim order by the review authority who is having the statutory power is a discretionary power.

3. The writ petition is dismissed with the following observation:

> "In view of the same, in order to meet the ends of justice, I am of the considered view that the 1st respondent before whom the revision is pending, should be directed to dispose of the revision petition within the stipulated time and accordingly, the 1st respondent is directed to dispose of the revision petition dated 30.6.2006 filed by the petitioner against the order of the District Revenue Officer dated 01.06.2006 in respect of Survey No.340/3A Vaagaikulam Village, Kadaladi Taluk, Ramanathapuram District and pass appropriate orders after giving opportunity to the petitioner within a period of eight weeks from the date of receipt of a copy of this order."

No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1.The Special Commissioner &
Commissioner of Land Administration, Chepauk, Chennai-5.

2.The District Revenue Officer cum Additional
District Magistrate,Collectorate Buildings,
Ramanathapuram District,Ramanathapuram.

3.The Sub-Collector/Revenue Divisional Officer,
Sub-Collector Office, Paramakudi, Ramanathapuram District.

4.The Tahsildar,
Kadaladi Taluk, Kadaladi, Ramanathapuram District.

5.The Zonal Deputy Tahsildar. Kadaladi Taluk, Kadaladi,
Ramanathapuram District.

1 cc to Mr.Mohanamurali, Advocate, SR.45802

gg (co)

dv/9.10.06

W.P.No.36584 of 2006

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